

1-1 By: Metcalf (Senate Sponsor - Nichols) H.B. No. 4629  
 1-2 (In the Senate - Received from the House April 29, 2019;  
 1-3 April 29, 2019, read first time and referred to Committee on  
 1-4 Intergovernmental Relations; May 17, 2019, reported favorably by  
 1-5 the following vote: Yeas 7, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the powers and duties of Montgomery County Municipal  
 1-18 Utility District No. 101.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subchapter C, Chapter 8120, Special District  
 1-21 Local Laws Code, is amended by adding Section 8120.106 to read as  
 1-22 follows:

1-23 Sec. 8120.106. DIVISION OF DISTRICT. (a) The district may  
 1-24 be divided into two or more new districts only if the district:

1-25 (1) has no outstanding bonded debt; and

1-26 (2) is not imposing ad valorem taxes.

1-27 (b) This chapter applies to any new district created by the  
 1-28 division of the district, and a new district has all the powers and  
 1-29 duties of the district.

1-30 (c) Any new district created by the division of the district  
 1-31 may not, at the time the new district is created, contain any land  
 1-32 outside the area described by Section 2 of the Act enacting this  
 1-33 chapter.

1-34 (d) The board, on its own motion or on receipt of a petition  
 1-35 signed by the owner or owners of a majority of the assessed value of  
 1-36 the real property in the district, may adopt an order dividing the  
 1-37 district.

1-38 (e) The board may adopt an order dividing the district  
 1-39 before or after the date the board holds an election under Section  
 1-40 8120.023 to confirm the district's creation.

1-41 (f) An order dividing the district must:

1-42 (1) name each new district;

1-43 (2) include the metes and bounds description of the  
 1-44 territory of each new district;

1-45 (3) appoint temporary directors for each new district;  
 1-46 and

1-47 (4) provide for the division of assets and liabilities  
 1-48 between or among the new districts.

1-49 (g) On or before the 30th day after the date of adoption of  
 1-50 an order dividing the district, the district shall file the order  
 1-51 with the commission and record the order in the real property  
 1-52 records of each county in which the district is located.

1-53 (h) Any new district created by the division of the district  
 1-54 shall hold a confirmation and directors' election as required by  
 1-55 Section 8120.023.

1-56 (i) Municipal consent to the creation of the district and to  
 1-57 the inclusion of land in the district acts as municipal consent to  
 1-58 the creation of any new district created by the division of the  
 1-59 district and to the inclusion of land in the new district.

1-60 (j) Any new district created by the division of the district  
 1-61 must hold an election as required by law to obtain voter approval

2-1 before the district may impose a maintenance tax or issue bonds  
2-2 payable wholly or partly from ad valorem taxes.

2-3 (k) If the creation of the new district is confirmed, the  
2-4 new district shall provide the election date and results to the  
2-5 commission.

2-6 SECTION 2. This Act takes effect immediately if it receives  
2-7 a vote of two-thirds of all the members elected to each house, as  
2-8 provided by Section 39, Article III, Texas Constitution. If this  
2-9 Act does not receive the vote necessary for immediate effect, this  
2-10 Act takes effect September 1, 2019.

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